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09/997,707	11/30/2001	Tushar Mangrola	6156-A	4306
7590	08/26/2004		EXAMINER	SANTOS, PATRICK J D
Richard L. Myers MYERS, DAWES & ANDRAS LLP 19900 MacArthur Blvd., Suite 1150 Irvine, CA 92612			ART UNIT	PAPER NUMBER
			2171	

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/997,707	MANGROLA, TUSHAR
Examiner	Art Unit	
Patrick J Santos	2171	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 10 June 2004.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-6 and 9-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-6 and 9-14 is/are rejected.
- 7) Claim(s) 13 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 30 November 2001 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All
  - b) Some \*
  - c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Objections***

1. Claims 6 and 9 are objected to because of the following informality: Claim 6 ends with the word, “and” (Amendment: p. 6, ln. 19). However, no further limitations are recited. Examiner observes that the trailing “and” is a likely the result of a cut and paste error. Appropriate correction is required. Dependent Claim 9 inherits the same deficiency from Claim 6.
  
2. Claim 13 is objected to for improper use of trademark. The use of the trademark ENTERPRISE JAVA BEAN (TM) (Amendment: p. 9, ln. 1) has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology. Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 contains a parenthetical term, "(identity)" (Amendment: p. 4, lns. 16 and 22). A member of the public cannot determine the degree of weight to apply to parenthetical terms, see MPEP 2173. Examiner suggests that a simple removal of the parentheses will overcome this rejection. Dependent Claims 2-4 inherit the same rejection from Claim 1.

5. Claims 5-6, and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 recites the limitation "directory" (Amendment: p. 6, ln. 6). There is insufficient antecedent basis for this limitation in the claim. Examiner observes that the error is likely based on cutting and pasting the limitation from the original Claim 6, which recites the directory in question.

Dependent Claims 6 and 9 inherit the same rejection from Claim 5.

***Claim Rejections - 35 USC § 103***

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 1 and 2, and 12 and Claim 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,067,559 issued to Allard et al. (hereafter Allard '559) in view of the publication, "Role Based Access Control for the World Wide Web" by Barkely et al. (hereafter Barkely '97), in further view of U.S. Patent No. 6,314,428 issued to Brew et al. (hereafter Brew '428), and moreover in view of applicant's admitted prior art in the pending application 09/997707 (hereafter AAPA).

Claims 1-2:

Regarding Claim 1, Allard '559 discloses: a method for creating multiple user application programs (Allard '559: col. 11, lns. 11-20) using a single application server and a single database server (Allard '559: col. 6, lns. 18-22), including the steps of:

- providing the application server with a first application and a second application (Allard '559: col. 5, lns. 58-64; col. 6, lns. 2-5);
- responding to information to choose the first application (Allard '559: col. 5, ln. 68 to col. 6, ln. 2);
- creating a first user application program from the first application and the first data (Allard '559: col. 5, ln. 68 to col. 6, ln. 2; col. 7, lns. 62-68; col. 1, lns. 20-24; col. 2, lns. 28-32); and
- creating a second user application program from the second application and the second data (Allard '559: col. 5, ln. 68 to col. 6, ln. 2; col. 7, lns. 62-68; col. 6, lns. 6-18; col. 1, lns. 20-24; col. 2, lns. 28-32).

However, Allard '559 does not explicitly disclose:

- storing user identification data including information relating to company user and user role; or

- use of a single database server.

Furthermore, Allard '559 does not explicitly disclose the additional limitations as entered via present amendment:

- the first and second applications relate to a first and second user role respectively;
- the information to choose the first data relates to the first company and the first user (identity).
- responding to the information relating to the first user role to choose the first application;
- responding to the information relating to the first company and first user (identity) to choose the first data;
- responding to the information relating to second user role to choose the second application; or
- responding to the information relating to second company and second user (identity) to choose the second data.

Barkely '97 discloses a Role Based Access Control (RBAC) system including the following:

- storing user identification data including information relating to company user and user role (Barkely '97: p. 7, Fig. 3; p. 6, Table 1); and
- the information to choose the first data relates to the first company and the first user (identity) (Barkely '97: Section 2, pp. 2-4 – section discloses RBAC as consisting of creating access control based on roles which are defined by particular users and their particular organization. This reads on user company information because a company is an organization).

Barkely '97 does not disclose:

- use of a single database server.

Furthermore, Barkely '97 does not explicitly disclose the additional limitations as entered via present amendment:

- the first and second applications relate to a first and second user role respectively;
- responding to the information relating to the first user role to choose the first application;
- responding to the information relating to the first company and first user (identity) to choose the first data;
- responding to the information relating to second user role to choose the second application; or
- responding to the information relating to second company and second user (identity) to choose the second data.

Brew '428 discloses an application manager for a multi-user environment.

Specifically, Brew '428 discloses:

- the first and second applications relate to a first and second user role respectively (Brew '428: col. 7, lns. 40-45; col. 5, lns. 13-18 – note that an application definition relates to a particular application and to a particular user);
- responding to the information relating to the first user role to choose the first application (Brew '428: col. 7, lns. 40-54);
- responding to the information relating to the first company and first user (identity) to choose the first data (Brew '428: col. 7, lns. 40-54; col. 5, lns. 13-18 – note application definition relates to a user);

- responding to the information relating to second user role to choose the second application (Brew '428: col. 7, lns. 40-54; col. 7, lns. 61-63 – note that the Brew '428 process is on a per client and per user basis); and
- responding to the information relating to second company and second user (identity) to choose the second data (Brew '428: col. 7, lns. 40-54; col. 5, lns. 13-18 – note application definition relates to a user).

However, Brew '428 does not explicitly disclose use of a single database server.

AAPA admits the use of a single database server for multiple companies as prior art (AAPA: p. 3, lns. 1-5).

It would have been obvious for a person having ordinary skill in the art to apply the RBAC system of Barkely '97 to the application server of Allard '559. Note that integrating the RBAC system of Barkely '97 to an application server requires no significant modification to the application server (Barkely '97: p. 5, lns. 1-18). The motivation to accomplish said application is suggested by Barkely '97 which discloses the well known benefits of role based access control (as opposed to control via access control lists) via the RBAC engine of Barkely '97 to web servers such as that of Allard '559 (Barkely '97: p. 5, lns. 21-37).

Furthermore, it would have been obvious for a person having ordinary skill in the art to apply the application management method of Brew '428 to the Allard '559 and Barkely '97 combination. The motivation to combine is suggested by Brew '428 which discloses the advantages of customizability for individual users via the method of Brew '428 on distributed systems such as that of Allard '559 and Barkely '97 in combination (Brew '428: col. 1, lns. 44-50).

Moreover, it would have been obvious for a person having ordinary skill in the art to use a single database server as admitted in AAPA for the data of multiple companies as applied to the combination of Allard '559, Barkely '97, and Brew '428. The motivation to combine is suggested by AAPA which discloses as prior art the advantages of reducing hardware costs by storing data of multiple companies on a single database as applied to the combination of Allard '559, Barkely '97, and Brew '428 (AAPA: p. 2, lns. 25-29).

Claims 2 and 14:

Regarding Claims 2 and 14, Allard '559, Barkely '97, Brew '428, and AAPA in combination disclose all the limitations of Claim 1 (supra). Additionally, Allard '559, Barkely '97, Brew '428, and AAPA in combination disclose

- (Claim 2) storing the first user application program and the second user application program in the memory of the single application server (Allard '559: col. 6, lns 18-23; col. 6, lns. 2-5);
- (Claim 14) loading the information relating to company user and user role into a variable resource specifier (Brew '428: col. 7, lns. 40-63); and using the variable resource specifier to connect to a particular portion of the single database server (Brew '428: col. 7, lns. 40-63; and AAPA: p. 2, lns. 25-29).

8. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allard '559, Barkely '97, Brew '428, and AAPA, in further view of the publication, "Solaris 2.6, Administrator Certification Training Guide" by Bill Calkins (hereafter Calkins '99).

Claim 3:

Regarding Claim 3, Allard '559, Barkely '97, Brew '428, and AAPA teach all the limitations of Claim 1 as described above. However, Allard '559, Barkely '97, Brew '428, and AAPA in combination do not teach creating a directory responsive to user log-on data to provide the company, user identity, and user role data; or programming a directory with subjective data relating to the company, user identity, and user role for each authorized user of the application server.

However, Calkins '99 teaches creating a directory responsive to user log-on data to provide the company, user identity, and user role data (Calkins '99 pp. 78-79 in particular the last two lines on p. 79); and programming a directory with subjective data relating to the company, user identity, and user role for each authorized user of the application server (Calkins '99 pp. 78-79 in particular the last two lines on p. 79).

Regarding Claim 3, it would have been obvious to apply the creating a directory responsive to user log-on data to provide the company, user identity, and user role data of Calkins '99 with Allard '559, Barkely '97, Brew '428, and AAPA combination as described above. The motivation to combine is suggested by Barkely '97 which discloses the creating a directory responsive to user log-on data to provide the company, user identity, and user role data such as that of Calkins '99 to an application server, such as the Allard '559, Barkely '97, Brew '428, and AAPA combination in order to tie role based access control with to user identity in conjunction with a facility already in place (Barkely '97: p. 5, lns. 31-35).

Claim 4:

Regarding Claim 4, Allard '559, Barkely '97, Brew '428, AAPA, and Calkins '99 in combination disclose all the limitations of Claim 3 as described above. Additionally,

Allard '559, Barkely '97, Brew '428, AAPA, and Calkins '99 in combination discloses that the access control to directories also covers programming a directory with subjective data relating to the company, user identity, and user role for each authorized user of the application server (Calkins '99 pp. 78-79 in particular the last two lines on p. 79).

9. Claims 5, 6, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allard '559, Barkely '97, Brew '428, and AAPA in view of Sun '99 in combination, and in further view of Calkins '99.

Claim 5:

Allard '559 discloses a method for programming (Allard '559: col. 11, lns. 11-20), based on information relating to identity of a user (Allard '559: col. 5, ln. 58 to col. 6, ln. 5) comprising the steps of:

- Providing a plurality of applications relating to different functions of the company (Allard '559: col. 2, lns. 25-43);
- Selecting a particular one of the applications (Allard '559: col. 4, lns. 42-44);
- Programming the selected application component to access a particular portion of the database associated with the identity of the user (Allard '559: col. 2, lns. 25-43).

However, Allard '559 does not explicitly disclose:

- The use of user roles, or user attributes such as the company of a user or the role of a user within a company, to select application or data.
- Providing the database including data relating to different companies;

- Providing an application server configured to use an ENTERPRISE JAVABEAN (TM) protocol, or of applications implemented with ENTERPRISE JAVABEANS (TM).

Additionally, Allard '559 does not explicitly disclose the newly added limitations:

- during the programming step, responding to the indication of the directory as to the user identity and the company of the user, to program the bean to access the particular portion of the database;
- instantiating the programmed bean to create a first clone bean adapted to access the particular portion of the database; and
- creating a second clone bean from the particular application bean, the second clone bean being adapted to access a second portion of the database different than the first portion of the database.

Barkely '97 discloses an RBAC system. Specifically, Barkely '97 discloses a method including:

- modifying a method for programming such that the applications are based on information relating to identity of a user, company of the user, and role of the user with the company (Barkely '97: Section 2, pp. 2-4 – section discloses RBAC as consisting of creating access control based on roles which are defined by particular users and their particular organization. This reads on user company information because a company is an organization);
- modifying a method for programming such that the applications are associated with different functions of the company (Barkely '97: Section 2, pp. 2-4);

However, Barkely '97 does not explicitly disclose:

- providing the database including data relating to different companies;
- selecting a particular application associated with user role;
- selecting a first particular portion of the database associated with the company of the user, and the identity of the user.
- providing an application server configured to use an ENTERPRISE JAVABEAN (TM) protocol, or of applications implemented with ENTERPRISE JAVABEANS (TM).

Additionally, Barkely '97 does not explicitly disclose the newly added limitations:

- during the programming step, responding to the indication of the directory as to the user identity and the company of the user, to program the bean to access the particular portion of the database;
- instantiating the programmed bean to create a first clone bean adapted to access the particular portion of the database; and
- creating a second clone bean from the particular application bean, the second clone bean being adapted to access a second portion of the database different than the first portion of the database.

Brew '428 discloses an application manager for a multi-user environment.

Specifically, Brew '428 discloses:

- selecting a particular application associated with user role (Brew '428: col. 7, lns. 40-54);
- selecting a first particular portion of the database associated with the company of the user, and the identity of the user (Brew '428: col. 7, lns. 40-54; col. 5, lns. 13-18 – note application definition relates to a user);

- instantiating the programmed application to create a first clone application adapted to access the particular portion of the database (Brew '428: col. 7, lns. 40-63); and
- creating a second clone application the second clone application being adapted to access a second portion of the database different than the first portion of the database (Brew '428: col. 7, lns. 40-63).

However, Brew '428 does not explicitly disclose:

- providing the database including data relating to different companies;
- providing an application server configured to use an ENTERPRISE JAVABEAN (TM) protocol, or of applications implemented with ENTERPRISE JAVABEANS (TM).

AAPA teaches providing the database including data relating to different companies (AAPA: p. 3, lns. 1-5). However, AAPA does not explicitly disclose the use of ENTERPRISE JAVABEANS (TM). Furthermore, AAPA does not explicitly disclose the newly added limitations of:

- during the programming step, responding to the indication of the directory as to the user identity and the company of the user, to program the bean to access the particular portion of the database;

Sun '99 discloses the providing an application server configured to use an ENTERPRISE JAVABEAN (TM) protocol (Sun '99: p. 15, lns. 4-5), and applications implemented with ENTERPRISE JAVABEANS (TM) (Sun '99: p. 15, lns. 1-4).

However, Sun '99 does not explicitly disclose the newly added limitations of:

- during the programming step, responding to the indication of the directory as to the user identity and the company of the user, to program the bean to access the particular portion of the database;

Calkins '99 discloses:

- during the programming step, responding to the indication of the directory as to the user identity and the company of the user, to program the bean to access the particular portion of the database (Calkins '99 pp. 78-79 in particular the last two lines on p. 79).

It would have been obvious for a person having ordinary skill in the art to combine the RBAC system of Barkely '97 with the application server of Allard '559. The motivation to combine is on the same basis as Claim 1 (supra).

It would have been obvious for a person having ordinary skill in the art to apply the application management method of Brew '428 to the Allard '559 and Barkely '97 combination. The motivation to combine is on the same basis as Claim 1 (supra).

It would have been obvious for a person having ordinary skill in the art to use a single database server as admitted in AAPA for the data of multiple companies as applied to the combination of Allard '559, Barkely '97, and Brew '428. The motivation to combine is on the same basis as Claim 1 (supra).

It would have been obvious to provision the Allard '559, Barkely '97, Brew '428, and AAPA combination above with ENTERPRISE JAVABEANS (TM) and to implement applications using ENTERPRISE JAVABEANS (TM). The ordinarily skilled artisan would have been motivated to provision the Allard '559, Barkely '97, and AAPA combination above with ENTERPRISE JAVABEANS (TM) and to implement

applications using ENTERPRISE JAVABEANS (TM) in order to be compliant with a standard industry specification, and thus increase market share for the combination.

Further note that while the exemplar of the application in the application server of the Allard '559, Barkely '97, Brew '428 and AAPA combination, is MICROSOFT ISAPI (TM), Allard '559 states, "It is noted, however, that this invention may be implemented using technology other than ISAPI (TM)" (Allard '559: col. 6, lns. 40-41).

It would have been obvious to apply the creating a directory responsive to the user the company of the user, and the role of the user; and further to apply the indication of the directory as to the role of the user; and yet further to apply the indication of the directory as to the user identity and the company of the user, as taught by Calkins '99 to the Allard '559, Barkely '97, Brew '428, AAPA, and Sun '99 combination as described above. The motivation to combine is suggested by Barkely '97 which discloses the creating a directory responsive to user log-on data to provide the company, user identity, and user role data such as that of Calkins '99 to the application server of the Allard '559, Barkely '97, Brew '428, AAPA, and Sun '99 combination in order to tie role based access control with to user identity in conjunction with a facility already in place (Barkely '97: p. 5, lns. 31-35).

Claims 6:

Regarding Claim 6, Allard '559, Barkely '97, Brew '428, AAPA, Sun '99, and Calkins '99 disclose all the limitations of Claim 5 above. Additionally, Allard '559, Barkely '97, Brew '428, AAPA, Sun '99, and Calkins '99 disclose:

- providing a directory responsive to the user to indicate the user identity, the company of the user, and the role of the user (Calkins '99 pp. 78-79 in particular the last two lines on p. 79); and
- during the selecting step, responding to the role of the user to select the particular bean (Barkely '97: p. 5, lns. 1-2; p. 5, lns. 19-23).

Claim 9:

Regarding Claims 9, Allard '559, Barkely '97, Brew '428, AAPA, Sun '99, and Calkins '99 in combination disclose all the limitations of Claim 6 above. Additionally, Allard '559, Barkely '97, Brew '428, AAPA, Sun '99, and Calkins '99 disclose: storing the first clone application and the second clone application in memory (Allard '559: col. 6, lns. 18-23; col. 6, lns. 2-5). Moreover, Allard '559, Barkely '97, Brew '428, AAPA, Sun '99, and Calkins '99 in combination discloses the implementation of the above applications using ENTERPRISE JAVABEANS (TM) (Sun '99: p. 15, lns. 1-5).

10. Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allard '559, Barkely '97, and AAPA, in view of Calkins '99.

Claim 10:

Regarding Claim 10, Allard '559 teaches:

- A container to create a program, the container having one or more applications applicable to one or more companies (Allard '559: col. 5, lns. 58-64 – note that the container of Allard '559 contains at least one application that applies to at least one company, thus reads on the container having one or more applications applicable to one or more companies);

- A container to provide the program with access to a particular portion of the data of the company in the database (Allard '559: col. 2, lns. 25-43);

Allard '559 does not teach the use of roles, and user company information, and furthermore does not teach the use of a single database to store the data of multiple companies, and moreover does not teach the use of a directory accessible to multiple users from multiple companies to indicate user identity, user role, and user company.

Barkely '97 teaches modifying the above as follows:

- a container responsive to user role to create a program (Barkely '97: Section 3.2, lns. 7-8, and Fig. 3);
- a container responsive to user identity, user role, and user company to create a program and to provide the program with access to a particular portion of the data of the company in the database (Barkely '97: Section 3.2, lns. 7-8, and Fig. 3).

However, Barkely '97 does not teach the use of a single database to store the data of multiple companies and furthermore does not teach the use of a directory accessible to multiple users from multiple companies to indicate user identity, user role, and user company.

AAPA teaches: a single database storing data for each of the multiple companies (AAPA: p. 3, lns. 1-5). However, AAPA does not teach the use of a directory accessible to multiple users from multiple companies to indicate user identity, user role, and user company.

Calkins '99 teaches:

- A directory responsive to multiple users from multiple companies to provide an indication of user identity, user role, and user company (Calkins '99 pp. 78-79 in particular the last two lines on p. 79).
- Directory indications of user identity, user role, and user company (Calkins '99 pp. 78-79 in particular the last two lines on p. 79).

It would have been obvious for a person having ordinary skill in the art to combine the RBAC system of Barkely '97 with the application server of Allard '559. The ordinarily skilled artisan would have been motivated to combine the RBAC system of Barkely '97 with the application server of Allard '559 on the same basis as Claim 1 (supra).

It would have been obvious for a person having ordinary skill in the art to combine the user of a single database with data from multiple companies as taught by AAPA with the Allard '559, Barkely '97 combination above. The ordinarily skilled artisan would have been motivated to combine the user of a single database with data from multiple companies as taught by AAPA with the Allard '559, Barkely '97 combination above on the same basis as Claim 1 (supra).

It would have been obvious for a person having ordinary skill in the art to combine the directory accessible to multiple users from multiple companies to indicate user identity, user role, and user company as taught by Calkins '99 with the Allard '559, Barkely '97 and AAPA combination above. The motivation to combine is suggested by Barkely '97 which discloses the creating a directory accessible to multiple users from multiple companies to indicate user identity, user role, and user company such as that of Calkins '99 to the application server of the Allard '559, Barkely '97, and AAPA

combination in order to tie role based access control with to user identity in conjunction with a facility already in place (Barkely '97: p. 5, lns. 31-35).

Claim 11:

Regarding Claim 11, Allard '559, Barkely '97, AAPA, and Calkins '99 in combination disclose all the limitations of Claim 10. (supra). Additionally, Allard '559, Barkely '97, AAPA, and Calkins '99 in combination disclose:

- the container is responsive to user role to create the program (Barkely '97: Section 3.2, lns. 7-8, and Fig. 3); and
- the container is responsive to user identity and company to provide the program with access to the particular portion of data in the database (Barkely '97: Section 3.2, lns. 7-8, and Fig. 3).

Note that Barkely '97, of the Allard '559, Barkely '97, AAPA, and Calkins '99 combination above also teaches the container is responsive to user role to create the program; and the container is responsive to user identity and company to provide the program with access to the particular portion of data in the database as described above.

11. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Allard '559 in view of Barkely '97, in further view of AAPA. Examiner notes that with the exception of a grammatical correction, Claim 12 is identical to the original, and previous Office Action rejection is reiterated below.

Claim 12:

Allard '559 teaches a method for creating a first application program for a first user (Allard '559: col. 5, ln. 68 to col. 6, ln. 2; col. 7, lns. 62-68), and a second application

program for a second user (Allard '559: col. 5, ln. 68 to col. 6, ln. 2; col. 7, lns. 62-68; col. 6, lns. 6-18), comprising the steps of:

- a) Providing a single application server with multiple master programs (Allard '559: col. 5, lns. 58-64);
- b) Selecting a first one of the master programs (Allard '559: col. 5, ln. 64 to col. 6, ln. 5);
- c) Selecting first data from the database (Allard '559: col. 1, lns. 20-24; col. 2, lns. 28-32);
- d) Creating the first application program from the first master program and the first data (Allard '559: col. 5, ln. 68 to col. 6, ln. 2; col. 7, lns. 62-68);
- e) Selecting second data from the database (Allard '559: col. 1, lns. 20-24; col. 2, lns. 28-32); and
- f) Creating the second application program from the second master program and the second data (Allard '559: col. 5, ln. 68 to col. 6, ln. 2; col. 7, lns. 62-68; col. 6, lns. 6-18).

Allard '559 does not teach the use of a database server with data associated with multiple companies or the use of roles.

Barkely '97 teaches an RBAC system including the following:

- Step b) above modified such that the selection of a first program is based on first user role (Barkely '97: p. 5, lns. 1-2; p. 5, lns. 19-23);
- Step c) above modified such that the first data being dependent on the first user identity and first user company (Barkely '97: p. 5, lns. 1-2; p. 5, lns. 19-23);

- Step e) above modified such that the second data is dependent on the second user identity and second user company (Barkely '97: p. 5, lns. 1-2; p. 5, lns. 19-23).

AAPA admits providing a database server with data associated with multiple companies (AAPA: p. 3, lns. 1-5).

It would have been obvious for a person having ordinary skill in the art to apply the RBAC system of Barkely '97 to the application server of Allard '559. The ordinarily skilled artisan would have been motivated to apply the RBAC system of Barkely '97 to the application server of Allard '559 on the same basis as Claim 1 (supra).

Furthermore, it would have been obvious for a person having ordinary skill in the art to use a single database server as admitted in AAPA. The ordinarily skilled artisan would have been motivated to use a single database server as admitted in AAPA for the data of multiple companies as applied to the combination of Allard '559 and Barkely '97 above on the same basis as Claim 1 (supra).

12. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Allard '559, Barkely '97, and AAPA in view of the publication "The ENTERPRISE JAVABEANS (TM) Specification, v1.1" by Vlada Matena, and Mark Hapner (hereafter Sun '99). Examiner notes that with the exception of a grammatical correction, Claim 13 is identical to the original, and previous Office Action rejection is reiterated below.

Claim 13:

Regarding Claim 13, Allard '559, Barkely '97, and AAPA teach all the limitations of Claim 12 as described above.

Furthermore, Barkely '97, in the Allard '559, Barkely '97, and AAPA combination as described above teaches:

- During the first selecting step, selecting a first application based on the first user role (Barkely '97: p. 5, lns. 1-2; p. 5, lns. 19-23);

Moreover Allard '559, in the Allard '559, Barkely '97, and AAPA combination as described above teaches:

- During the second selecting step, programming the first application to access the first data (Allard '559: col. 5, ln. 68 to col. 6, ln. 2; col. 7, lns. 62-68; col. 1, lns. 20-24; col. 2, lns. 28-32).

Allard '559, Barkely '97, and AAPA in combination do not teach that the applications above are implemented as ENTERPRISE JAVA BEANS (TM), nor do they teach the providing an ENTERPRISE JAVA BEAN (TM) protocol, in the application server wherein the multiple master programs comprise multiple master beans.

Sun '99 teaches the providing of an application server with an ENTERPRISE JAVA BEAN (TM) protocol (Sun '99: p. 15, lns. 4-5) and teaches the implementation of application via ENTERPRISE JAVA BEANS (TM) (Sun '99: p. 15, lns 1-4).

It would have been obvious to provision the Allard '559, Barkely '97, and AAPA combination above with ENTERPRISE JAVABEANS (TM) and to implement applications using ENTERPRISE JAVABEANS (TM). The ordinarily skilled artisan would have been motivated to provision the Allard '559, Barkely '97, and AAPA combination above with ENTERPRISE JAVABEANS (TM) and to implement applications using ENTERPRISE JAVABEANS (TM) in order to be compliant with a standard industry specification, and thus increase market share for the combination.

Further note that while the exemplar of the application in the application server of Allard '559 in the Allard '559, Barkely '97, and AAPA combination, is MICROSOFT ISAPI (TM), Allard '559 states, "It is noted, however, that this invention may be implemented using technology other than ISAPI (TM)" (Allard '559: col. 6, lns. 40-41).

***Response to Arguments***

13. Applicant's arguments filed May 10, 2004 have been fully considered but they are not persuasive.

**Applicant Argument 1**

Argument:

Applicant asserts that the Allard '559, Barkely '97, and AAPA portions referenced are each individually "significantly different" (Amendment: p. 12, last paragraph).

Response:

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

**Applicant Argument 2**

Argument:

Applicant asserts that the Office Action asserts that he required modifications to combine Barkely '97 with Allard '559 are insignificant (Amendment: p.13, first two lines).

Response:

On the contrary, Barkely '97 discloses an RBAC engine that is combinable with an arbitrary web application with minimal modification (Barkely '97: p. 5, lns. 1-18). The Office Action is not asserting, but rather is citing a reference which discloses the modifications are insignificant.

### **Applicant Argument 3**

Argument:

Applicant asserts that motivation to combine is absent and that Examiner has not pointed to a specification motivation or suggestion to combine in the references (Amendment: p.13, first paragraph).

Response:

On the contrary, for both the Barkely '97 and AAPA references, the Office Action contains complete statements of motivation that are explicitly cited by the references, specifically:

“The ordinarily skilled artisan would have been motivated to apply the RBAC system of Barkely '97 to the application server of Allard '559 in order to obtain

the well known benefits of role based access control (as opposed to control via access control lists) [Barkely '97: p. 5, Ins. 21-37]."

"The ordinarily skilled artisan would have been motivated to use a single database server as admitted in AAPA for the data of multiple companies as applied to the combination of Allard '559 and Barkely '97 above in order to reduce hardware costs. [AAPA: p. 2, Ins. 25-29]."

Applicant has not stated why these explicit motivational statements are improper, thus assertion that motivation to combine is not sufficient to overcome rejection.

#### **Applicant Argument 4**

Argument:

Applicant asserts that Barkely '97 does not disclose storing of user company information (Amendment: p.13, second paragraph).

Response:

Reference portion cited by examiner (Barkely '97: p. 7, Fig. 3, and p. 6, Table 1) explicitly states means of adding RBAC functionality to a web server. Barkely '97: Section 2, pp. 2-4 discusses the notion of RBAC consisting of creating access control based on roles which are defined by particular users and their particular organization. This reads on user company information because a company is an organization.

Furthermore, note that RBAC enables an arbitrary set of different organizations, to store applications on the same server such that individuals belonging to each organization may only access applications belonging to their respective organization. Thus, resources are saved. Within the context of Barkely '97, the different organizations are arbitrary, and may in fact be different companies.

### **Applicant Argument 5**

Argument:

Applicant asserts that the particular advantage of creating a "computer infrastructure that can be shared by small and medium sized companies while saving resources" is not cited by the references and that further that no motivation to combine the references is present (Amendment: p.13, paragraph 3).

Response:

Examiner refers to MPEP 2144 which states that, "Rationale Different From Applicant's is Permissible." From the context of Barkely '97, clearly the RBAC engine of Barkely '97 is targeting a web server (Barkely '97: Title), and that Allard '559 teaches a web server. Thus in of itself is motivation to combine. Furthermore, Office Action recites the well known benefits of RBAC as disclosed by Barkely '97 as further motivation to combine (Barkely '97: p. 5, Ins. 21-37).

**Applicant Argument 6**

Argument:

Applicant asserts there is no motivation to combine Allard '559, Barkely '97, AAPA, and Calkins '99 on the same basis as Applicant Arguments 1-5 (Amendment: p. 14, second and third paragraphs).

Response:

Examiner refers to responses to Applicant Arguments 1-5 (supra).

**Applicant Argument 7**

Argument:

Applicant asserts Claim 5 as amended is in condition for patentability (Amendment: p. 15, top paragraph).

Response:

Examiner refers to 103(a) rejection of Claim 5 (supra).

**Applicant Argument 8**

Argument:

Applicant asserts there is no motivation to combine Allard '559, Barkely '97, AAPA, and Sun'99 on the same basis as Applicant Arguments 1-5 (Amendment: p. 15, second paragraph).

Response:

Examiner refers to responses to Applicant Arguments 1-5 (supra).

**Applicant Argument 9**

Argument:

Applicant asserts there is no motivation to combine Allard '559, Barkely '97, AAPA, Sun'99, and Calkins '99 on the same basis as Applicant Arguments 1-5 (Amendment: p. 15, second to last paragraph).

Response:

Examiner refers to 103(a) rejection of Claim 13 (supra).

**Applicant Argument 10**

Argument:

Applicant asserts Claim 10 as amended is in condition for patentability (Amendment: p. 16, second paragraph).

Response:

Examiner refers to 103(a) rejection of Claim 10 (supra).

**Applicant Argument 11**

Argument:

Applicant asserts new Claim 14 is in condition for patentability (Amendment: p. 16, second to last paragraph).

Response:

Examiner refers to 103(a) rejection of Claim 14 (supra).

***Conclusion***

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick J Santos whose telephone number is 703-305-0707. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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